

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

March 8, 2001

DIVISION ONE

[illegible]

The judgment is affirmed.

Mallano, J.

We concur: Ortega, Acting P.J.
Vogel (Miriam A.), J.

DIVISION THREE

B139540 People (Not for Publication)
v.
Bolden

The judgment is modified by striking the restitution award of \$277.10 and by imposing that amount as costs of impoundment pursuant to Penal Code section 597, subdivision (f)(1), and by imposing state and county penalty assessments of \$280 (Pen. Code, 1202.4, subd. (a)(2), 1464, subd. (a)), and \$196 (Gov. Code, 76000, subd. (a)), respectively; as modified, the judgment is affirmed. The trial court is directed to forward to the Department of Corrections an amended abstract of judgment reflecting the above modifications.

Croskey, Acting P.J.

We concur: Aldrich, J.
Fidler, J. (Assigned)

DIVISION THREE (Continued)

B143478 People (Not for Publication)
v.
Hardy

The judgment is modified by striking the trial court's May 16, 2000 order imposing a \$1,000 restitution fine pursuant to Penal Code section 1202.4, subdivision (b), and the trial court is directed to calculate the amount of any payments made against the \$1,000 restitution fine imposed on April 29, 1999, pursuant to Penal Code section 1202.4, subdivision (b), and to impose the balance of that fine. As so modified, the judgment is affirmed. The trial court is directed to forward to the Department of Corrections an amended abstract of judgment reflecting imposition of the above balance.

Croskey, J.

We concur: Klein, P.J.
Fidler, J. (Assigned)

B134256 Epstein (Certified for Publication)
v.
Hollywood Entertainment District II Business Improv

The order denying plaintiff's request for a preliminary injunction is reversed and remanded. The trial court is directed to enter a preliminary injunction in favor of plaintiff in accordance with the views expressed herein. In connection with any arguments that the POA is or is not bound to follow City's laws related to competitive bidding, the trial court should be guided by our conclusion that the POA is a legislative body within the meaning of the Brown Act, and that the Brown Act does apply to actions taken by the POA in its administration of the BID. Plaintiff shall recover his costs on appeal.

Croskey, J.

We concur: Klein, P.J.
Aldrich, J.

DIVISION THREE (Continued)

B138041 L.A. Recovery 95
Income Fund, L.P., etc. (Not for Publication)
v.
Brand/Broadway Partners, Ltd., et al.

The judgment is affirmed. Defendants are awarded their costs on appeal.

Croskey, J.

We concur: Klein, P.J.
 Kitching, J.

B141448 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Joseph R. and Edward L.

(AS TO JOSEPH R. AND EDWARD L., RESPECTIVELY) The order of
May 17, 2000, is affirmed.

Aldrich, J.

We concur: Kitching, Acting P.J.
 Perluss, J. (Assigned)

DIVISION FOUR

Court convened at 9:00 A.M.

Present: Vogel (C.S.), P.J., Epstein, J., Hastings, J. and Jim Guzman, Deputy Clerk.

DIVISION FOUR (Continued)

Each of the following:

B140708 D.C.F.S. v. Diane H.
B137087 People v. Ly
B146752 Linda L. v. S.C.L.A. & D.C.F.S.
B143735 D.C.F.S. v. Gabriel M.
B135651 People v. Padilla
B140779 People v. Sandoval
B139852 Sanwa Bank California v. Chang
B143213 Murphy v. Springate

Argument waived, cause submitted.

B139470 Sedaghat
 v.
 Molayem

Merits:

Argued by Maxine J. Lebowitz for respondent and by and no appearance for appellant. Cause submitted.

B142004 Eller Media Company
 v.
 City of Los Angeles

Merits:

Argued by Paul A. Jacobs for appellant and by John C. Cotti and Kathryn Reimann for respondents. Cause submitted.

B146343 Wolf
 v.
 S.C.L.A.
 Wolf

Merits:

Argued by Steven J. Shapero for petitioner and by Yvette Molinaro for real party in interest. Cause submitted.

DIVISION FOUR (Continued)

B138295 Liberty Mutual Insurance Company
 v.
 McKenzie

Merits:

Argued by Richard I. Wideman for appellant and by Ilya A. Kostenboym
for respondent. Cause submitted.

B132719/ Yeroushalmi v. Western Bonaventure
B132723
B134924 Consumer Cause v. ARCO Oil and Gas Company

Merits:

Argued by Morse Mehrban for appellants and by Jordan S. Stanzler and
Kurt Wiessmuller for respondents. Cause submitted.

B140096 Azami
 v.
 Sutherland

Merits:

Argued by Abe and Kylynn Azami for appellants in propria persona and by
Lawrence B. Parker and Ronald L. Gruzen for respondents. Cause
submitted.

Court in recess.

Court reconvened at 1:30 P.M.

Present: Vogel (C.S.), P.J., Epstein, J., Hastings, J. and Jim Guzman, Deputy Clerk.

DIVISION FOUR (Continued)

B129514 Difalco
 v.
 Difalco

Merits:
Argued by Alvin S. Tobias for appellant and by Julie Sullwold Hernandez
for respondent. Cause submitted.

B143381 Acosta
 v.
 Synthetic Industries Inc.

Merits:
Argued by Lee A. Freeman for appellant and by Michael T. Williams for
respondent. Cause submitted.

B115038 Penuela
 v.
 National Railroad Passenger Corporation

Merits:
Argued by Roy Penuela for appellant and by Gregory L. Evans for
respondents. Cause submitted.

B141632 Garcia, Hernandez and Escobedo
 v.
 Moron and Miller

Merits:
Argued by Roman Y. Nykolyshyn for appellants and by Peter A. Mittenthal
for respondents. Cause submitted.

Court adjourned.

DIVISION FOUR (Continued)

B137930 People
v.
Crowe

Filed order denying petition for rehearing.

B144184 Rogelio M. (Not for Publication)
v.
Superior Court, Los Angeles County
(Los Angeles County Department of Children and Family Services, r.p.i.)

The petition is denied.

Hastings, J.

We concur: Epstein, Acting P.J.
Curry, J.

DIVISION SIX

B141035 Friends To Restore (Not for Publication)
Earl Warren Showground
v.
19th District Agricultural Association
Santa Barbara Hockey Association, RPI

The judgment is affirmed. Costs to respondents.

Perren, J.

We concur: Yegan, Acting P.J.
Coffee, J.

DIVISION SIX (Continued)

[illegible]

We direct the clerk of the superior court to prepare and to forward to the Department of Corrections a corrected abstract of judgment showing a sentence on the assault with a deadly weapon count of two years, doubled under section 667, subdivision(e)(1), plus three years pursuant to section 12022.7, and five years pursuant to section 667, subdivision (a)(1), and a concurrent sentence on the concealed dirk or dagger count of one year, four months, doubled to two years, eight months under section 667, subdivision (e)(1).

The judgment, as modified, is affirmed.

Perren, J.

We concur: Gilbert, P.J.
Yegan, J.

B135339 People (Not for Publication)
v.
Alfaouri

We reverse the conviction on count 4 for transportation or sale, and remand to the trial court for further proceedings consistent with this opinion. We affirm the convictions on the remaining counts, as well as the findings of the truth of the enhancements on those counts. When the case is concluded whether by retrial, plea or dismissal of this count, the court is to resentence in conformity with this opinion, including the imposition of the section 11370.4, subdivision (a) enhancement as required by law.

Perren, J.

We concur: Gilbert, P.J.
Yegan, J.

DIVISION SIX (Continued)

B140242 Kane (Not for Publication)
v.
Kane

The judgment is affirmed. Costs to Wife.

Coffee, J.

We concur: Gilbert, P.J.
Perren, J.

B141032 People (Not for Publication)
v.
Barnes

The judgment (order denying motion to suppress) is affirmed.

Perren, J.

We concur: Yegan, Acting P.J.
Coffee, J.

DIVISION SEVEN

B133502 Baric
v.
Hume

Filed order denying petition for rehearing.

B122714 Yu
v.
DeSantis

Filed order denying petition for rehearing.